

OFFICIAL GAZETTE

GOVERNMENT OF GOA

NOTE: There is one Extraordinary issue to the Official Gazette, Series I, No. 15, dated 8-7-93 as follows:

- 1) Extraordinary dated 8-7-93 from pages 231 to 240, regarding Notifications from Civil Supplies Department and Public Health Department.

GOVERNMENT OF GOA

Home (General) Department

Notification

HD-G-34-3/73-Vol. II

In exercise of the powers conferred by sub-sections (2) and (3) of section 46 read with sections 2 and 7 of the Indian Police Act, 1861 (Central Act 5 of 1861), the Government of Goa hereby makes the following rules so as to further amend the Goa Police Subordinate Service (Discipline and Appeal) Rules, 1975, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa Police Subordinate Service (Discipline and Appeal) (Sixth Amendment) Rules, 1993.

(2) They shall come into force at once.

2. *Amendment of Schedule.*—In the Schedule to the Goa Police Subordinate Service (Discipline and Appeal) Rules, 1975,—

(i) In the column 3, 4 and 6 of the words "Additional Inspector General of Police" wherever they occur, the words "Deputy Inspector General of Police" shall be substituted;

(ii) In the Note, for words "Additional Inspector General of Police", the words "Deputy Inspector General of Police" shall be substituted.

By order and in the name of the Governor of Goa.

G. P. Chimulkar, Under Secretary (Home).

Panaji, 25th June, 1993.

Notification

9-29-90-HD(G)

In exercise of the powers conferred by clause (8) of section 59 of the Prisons Act, 1894 (Central Act 9 of 1894) and all other powers enabling him in that behalf, the Governor of Goa hereby makes the

following rules so as to amend the Goa, Daman and Diu Classification of Prisons Rules, 1969, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa Classification of Prisons (Amendment) Rules, 1991.

2. They shall come into force at once.

2. *Amendment of rule 1.*—In rule 1 of the Goa, Daman and Diu Classification of Prisons Rules, 1969 (hereinafter referred to as the 'principal Rules'), the figure and words "Daman and Diu" shall be omitted.

3. *Amendment of rule 2.*—In clause (2) of rule 2 of the principal Rules, the words and figures "Sub-Jails/sub-jail-cum" shall be omitted.

4. *Amendment of rule 3.*—For rule 3 of the principal Rules, the following shall be substituted, namely:—

"3. *Central Prison.*—In the State of Goa there shall be a Central jail at Aguada."

5. *Amendment of rule 4.*—For rule 4 of the principal Rules, the following rule shall be substituted, namely:—

"4. *Judicial lock-up.*—There shall be judicial lock-up each at Panaji, Mapusa and Margao.

6. *Amendment of rule 6.*—In rule 6 of the principal Rules, for the words "Goa District", the words "the State of Goa" shall be substituted.

By order and in the name of the Governor of Goa.

G. P. Chimulkar, Under Secretary (Home).

Panaji, 2nd July, 1993.

Forest Department

Notification

17-9-92-FOR

Whereas vide Government Notification No. DF-894(909-67) FOR-67 dated 18-1-1968 published in the Official Gazette, Series I, No. 44 dated 1st February, 1968, the Government of Goa has notified,

Cotigao as a Game Sanctuary (hereinafter called 'the Sanctuary');

And whereas in terms of sub-section (3) of section 26A of the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972) (hereinafter called the 'said Act'), no alteration of the boundaries of a sanctuary shall be made except on a resolution passed by the Legislature of the State;

And whereas vide Resolution No. 3 dated 14-7-92 the Legislative Assembly of Goa in its sitting held on 14th July, 1992 has resolved that certain areas as specified in the Schedule below be excluded from the sanctuary area.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 26 A of the said Act, the Government of Goa hereby alters the boundaries of the sanctuary as specified in the Schedule below.

SCHEDULE

Areas to be excluded from Sanctuary Area

Village	Survey Nos.
COTIGAO	22, 23, 42, 43, 54, 56, 57, 58, 59, 161, 163, 164, 166, 167, 168, 169, 170, 171, 172, 174, 175, 176, 177, 178, 179, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 136, 137, 138, 139, 140, 142, 143, 144, 146, 147, 148, 149, 159.
GAODONGREM	155, 156, 159, 160, 161, 163, 164, 165, 166, 167, 168.
POIGUINIM	22, 23, 24, 25, 26, 27, 28, 29.

Boundaries of the Sanctuary after exclusion of 12.40 sq. Kms. therefrom.

North: Taluka boundary between Sanguem and Canacona.

East: Karnataka State Boundary.

South: Karnataka State Boundary and river Gal junction and up to eastern boundary of Survey No. 43 of Cotigao Village further along the boundaries between survey No. 53 and survey Nos. 43, 42, 23, 22, and 177 of Cotigao Village.

West: Along the boundary between survey No. 53 and Survey No. 177, 176, 175, 174, 166, 167, 164, 163, of Cotigao Village. Further along the boundaries between survey Nos. 160 and 163 and 162 and 170, 171 of Cotigao Village and then along the road from Chiplem to Bela Dabol Road, junction via Shisheval. Further from this junction along the boundary between survey No. 63 of Cotigao Village and Survey No. 28 of Poiguinim Village, Survey No. 159 of Cotigao Village and Survey No. 27 of Poiguinim Village. Then along the village boundary between Poiguinim and Cotigao Village up to the junction of village boundaries of Poiguinim, Cotigao and Gaodongrem and then further along the village boundaries of Gaodongrem and Cotigao upto the confluence between the Kuskem Tributary between survey No. 150 and 180 of Cotigao Village (Kuskem River) and the village boundary. Then along the river Kuskem separating survey Nos. 150, 107, 106, 105, 104 and 66 of Cotigao Village further along the boundaries between survey Nos. 66, 128, 129 and further boundaries between survey Nos. 134 and 133, 126, 125, 123 boundary between survey Nos. 118, 123, 121, 120, 115, 117 boundary survey Nos. 134 and 117, 116, 110 boundary between 145. Further boundary between survey Nos. 144, 143, 138

and 136 upto the village boundary of Gaodongrem and further along this village boundary upto Taluka boundary between Sanguem Canacona Taluka.

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Forests).
Panaji, 30th June, 1993.

Legislature Secretariat

Notification

LA/B/3111/1993

The following Bill which was introduced in the Legislative Assembly of Goa on 8-7-93 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 9th July, 1993.

The Goa State Guarantees Bill, 1993

(Bill No. 14 of 1993)

A

BILL

to fix a limit upto which the executive power of the State of Goa shall extend to the giving of guarantees.

Be it enacted by the Legislative Assembly of Goa in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa State Guarantees Act, 1993.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*— In this Act, unless the context otherwise requires, —

(a) 'Official Gazette' means the Official Gazette of the State Government;

(b) 'State Government' means the Government of Goa.

3. *Fixation of limit upto which State may give guarantees.*— (1) The limit upto which the executive power of the State Government shall extend to the giving of guarantees (including guarantees given before the commencement of this Act) as provided in clause (1) of Article 293 of the Constitution of India, shall be the sum of Rs. 40.00 crores.

(2) The State Government shall lay before the State Legislature, —

(a) a Statement of any guarantee given as soon as may be after it is given; and

(b) within three months after the end of any financial year in which any guarantees so given are in force, an account of the total sums, if any, which during that year have been either

issued out of the Consolidated Fund of the State or paid in or towards repayment of any sum so issued.

Statement of Objects and Reasons

Article 293(1) of the Constitution of India lays down that the executive power of a State extends to borrowing within the territory of India upon the security of the Consolidated Fund of the State within such limits as may from time to time be fixed by the Legislature of the State by law. The proposed Bill seeks to fix this limit to Rs. 40.00 crores in the State of Goa for giving Government Guarantees to the parties/institutions/Government Corporations/Companies, etc.

Financial Memorandum

No financial implications are involved in this Bill while sanctioning the Government Guarantees. However, in case any sanctioned guarantee is invoked then its liability is charged to the Government, the amount of which cannot be foreseen at this stage. However, all sureties etc. to safeguard the interest of the Government will be envisaged in the executive orders which will be issued from time to time.

Panaji,
21st June, 1993.

WILFRED D'SOUZA
Chief Minister

Assembly Hall,
Panaji,
1st July, 1993.

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa.

Governor's recommendation under article 207 of the Constitution:

In pursuance of clause (1) & (3) of article 207 of the Constitution the Governor of Goa has recommended to the Legislative Assembly of Goa the introduction and consideration of "The Goa State Guarantees Bill, 1993".

Notification

LA/B/3112/1993

The following Bill which was introduced in the Legislative Assembly of Goa on 8-7-93 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 9th July, 1993.

The Goa Barge Tax (Amendment) Bill, 1993

(Bill No. 15 of 1993)

A BILL

furthest to amend the Goa, Daman and Diu Barge Tax Act, 1973.

Be it enacted by the Legislative Assembly of Goa in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Goa Barge Tax (Amendment) Act, 1993.

(2) It shall come into force at once.

2. *Amendment of Schedule.*— For the Schedule to the Goa, Daman and Diu Barge Tax Act, 1973 (Act 10 of 1973), the following Schedule shall be substituted, namely:—

"SCHEDULE

(See section 3)

Capacity of barge	Maximum annual rate per ton
	Rs.
(a) Less than 650 tons	22.00
(b) 650 tons and less than 1000 tons	25.00
(c) 1000 tons and above	30.00

Note: When tax is not paid for the whole year at a time, but is paid for one or more quarters at a time, the tax so payable for each quarter shall be an amount equal to one-fourth of the annual tax plus ten per cent of that amount."

Statement of Objects and Reasons

On account of the huge amount required to be spent by the Government on the maintenance and repairs of inland water ways of Goa, it is felt necessary to increase the maximum rates specified in the Schedule to the Goa, Daman and Diu Barge Tax Act, 1973 and hence it is proposed to amend the said Schedule.

This Bill seeks to achieve the above object.

Financial Memorandum

During the erstwhile period, the Captain of Ports Deptt. was collecting Tax from the barges plying on Inland Waterways of Goa under Diploma Legislative No. 1776 of 1958. Subsequent to the Liberation of Goa, the practice of collecting the Barge Tax continued upto 1965 after which it had to be stopped because of the Court Order. A new Legislation known as Goa, Daman and Diu Barge Tax Act, 1973 was passed by the Legislative Assembly of Goa and was made effective right from 1971. According to the said Act the barges were taxed as under:

SCHEDULE

(Section 3)

Capacity of barge	Maximum annual rate per ton
	Rs.
Less than 100 tonnes	3.50
100 tonnes and less than 200 tonnes	5.00
200 tonnes and less than 350 tonnes	6.00
350 tonnes and above	7.00

These rates were subsequently revised with effect from 2nd June, 1986 as under:

(a) 350 tons and less than 650 tons	Rs. 16.50 per ton per annum
(b) 650 tons and less than 1000 tons	Rs. 18.00 per ton per annum
(c) 1000 tons and above	Rs. 20.00 per ton per annum

The Deptt. was collecting a total Revenue of Rs. 17.56 lakhs approximately per annum. This tax was meant to meet the expenditure on maintenance of Inland Waterways of Goa. Due to the constant increase in the maintenance expenditure it has been proposed to revise the rates as under:

(a) 350 tons and less than 650 tons	Rs. 22.00 per ton per annum
(b) 650 tons and less than 1000 tons	Rs. 25.00 per ton per annum
(c) 1000 tons and above	Rs. 30.00 per ton per annum

With the revision of the Barge Tax as proposed above Govt. will get an additional Revenue of Rs. 7 lakhs per annum which could be collected with the existing manpower of the Deptt. The proposed revision of Barge Tax does not entail extra expenditure on the part of the ex-chequer.

Panaji, SUBHASH SHIRODKAR
14th June, 1993. Minister for Inland Waterways

Assembly Hall, ASHOK B. ULMAN
Panaji, Secretary to the Legislative
25th June, 1993. Assembly of Goa.

Governor's recommendation under Article 207 of the Constitution:

In pursuance of clause (1) and (3) of Article 207 of the Constitution, the Governor of Goa has recommended to the introduction of the Goa Barge Tax (Amendment) Bill, 1993.

(Annexure to Bill No. 15 of 1993)

The Goa Barge Tax (Amendment) Bill, 1993

The Goa, Daman and Diu Barge Tax Bill, 1972

(Act No. 10 of 1973)

SCHEDULE

(Section 3)

Capacity of barge	Maximum annual rate per tonne
Less than 100 tonnes	Rs. 3.50
100 tonnes and less than 200 tonnes	Rs. 5.00
200 tonnes and less than 350 tonnes	Rs. 6.00
350 tonnes and above	Rs. 7.50

Note: When tax is not paid for the whole year at a time, but is paid for one or more quarters at a time, the tax so payable for each quarter shall be an amount equal to one-fourth of the annual tax plus ten per cent of that amount.

Assembly Hall, ASHOK B. ULMAN
Panaji, Secretary to the Legislative
25th June, 1993. Assembly of Goa.

Notification

LA/B/3113/1993

The following Bill which was introduced in the Legislative Assembly of Goa on 8-7-93 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 9th July, 1993.

The Goa Barge (Taxation on Goods) Amendment Bill, 1993

(Bill No. 16 of 1993)

A

BILL

to amend the Goa, Daman and Diu Barge (Taxation on Goods) Act, 1985.

Be it enacted by the Legislative Assembly of Goa in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Barge (Taxation on Goods) Amendment Act, 1993.

(2) It shall come into force at once.

2. *Amendment of section 3.*— In section 3 of the Goa, Daman and Diu Barge (Taxation on Goods) Act, 1985 (Act 22 of 1985), for the words "twenty paise per tonne", the words "forty paise per ton" shall be substituted.

Statement of Objects and Reasons

At present, tax is received under the Goa, Daman and Diu Barge (Taxation on Goods) Act, 1985, on the goods transported by barges through the Cumbarjua Canal at the rate of 20 paise per ton.

On account of the increase in the salaries of the staff deployed for watch and ward activity along the Cumbarjua Canal and also due to increase in the cost of other expenditure, it is proposed to increase the said tax from 20 paise to 40 paise per ton by amending section 3 of the said Act, 1985.

This Bill seeks to achieve the above object.

Financial Memorandum

The Captain of Ports Deptt. is collecting 20 paise per ton from the barges plying through the Cumbarjua Canal as Goods Tax. The Deptt. is collecting Rs. 47,000/- per annum as Revenue from Goods Tax. Generally the barges in Goa ply through Cumbarjua Canal during the foul season because, Captain of Ports does not allow movement of barges through Mandovi River because of the Aguada Sand bar. For regulating and controlling the movement of barges in the Cumbarjua Canal, the Deptt. has to deploy staff 24 hours for regulating and controlling the movement of barges from this canal. Due to the construction of Banastarim Bridge, only barges of small and medium sizes are allowed to ply. After completion of the Banastarim Bridge which is expected to be ready by December,

1993, barges of bigger size will be also plying through this canal.

At present the Deptt. has to incur Rs. 8,000/- to Rs. 9,000/- per annum on payment of TA/DA to the Marine Staff. Due to the increase in the rate of TA/DA and other expenditure it is proposed to double the rate of present goods Tax from 20 paise per ton to 40 paise per ton. With the enhanced rate of Goods Tax the Deptt. is expecting to double the present Revenue i. e. from Rs. 47,000 per annum to Rs. 94,000 per annum and from 1994 onwards i. e. after completion of Banastarim Bridge the Revenue will go upto Rs. 1.10 lakhs — Rs. 1.15 lakhs per annum. Even though additional manpower is not required to collect the revised tax there will be increase in the payment of TA/DA expenditure from Rs. 8,000/- to Rs. 15,000/- per annum.

Panaji,
14th June, 1993.

SUBHASH SHIRODKAR
Minister for Inland Waterways

Panaji,
Assembly Hall,
26th June, 1993.

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa

Governor's recommendation under Article 207 of the Constitution:

In pursuance of clause (1) and (3) of Article 207 of the Constitution, the Governor of Goa has recommended to the introduction of the Goa Barge Tax (Amendment) Bill, 1993.

(Annexure to Bill No. 16 of 1993)

**The Goa Barge (Taxation on goods)
Amendment Bill, 1993**

The Goa, Daman and Diu Barge (Taxation on goods)
Bill, 1985

(Act No. 22 of 1985)

3. Levy of tax on goods. — On and from the date of commencement of this Act, there shall be levied and paid to the Government on the goods transported by barges through such inland Waterways or canals as may be notified by the Government, a tax at the rate of twenty paise per tonne or part thereof of the goods:

Provided that no tax shall be payable under this Act on goods belonging to the Government or Central Government.

Assembly Hall,
Panaji,
25th June, 1993.

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa.

Notification

LA/B/3114/1993

The following Bill which was introduced in the Legislative Assembly of Goa on 8-7-93 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

Panaji, 9th July, 1993.

The Goa (Extension of the Orphanages and Other Charitable Homes (Supervision and Control) Act) Bill, 1993

(Bill No. 17 of 1993)

A

BILL

to provide for the extension of the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 to the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Goa (Extension of the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960) Act, 1993.

(2) It shall come into force at once.

2. *Extension of the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 to the State of Goa.* — The Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 (Central Act 10 of 1960), as in force in the territories to which it generally extends, is hereby extended to the State of Goa.

3. *Repeal and Saving.* — So much of any law in force in the State of Goa as corresponds to the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 (Central Act 10 of 1960), shall stand repealed as from the date of coming into force of this Act in the State of Goa:

Provided that the repeal shall not affect—

(a) the previous operation of any law so repealed or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, or incurred under any law so repealed; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation or liability, penalty, forfeiture or punishment, as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed:

Provided further that subject to the preceding proviso, anything done or any action taken (including any rule made) under any law so repealed shall, so far as they are consistent with the said Act, be deemed to have been done or taken under the corresponding provisions of the said Act as extended to the State of Goa by this Act and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the said Act.

Statement of Objects and Reasons

The Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 has not yet been extended to this State of Goa.

In pursuance of the directives of the Supreme Court contained in its order dated 21-11-1991, in Criminal Writ Petition No. 1121 of 1982, it is now proposed to extend the said Act to this State so as to bring all the Institutions/Homes/Shelters run by the Voluntary Organisations except the ones covered by section 3 thereof, within the purview of the said Act for the purpose of supervision and control in all matters relating to the management of homes in accordance with the directions to be given by the State Government and also to bring about uniformity of procedure and functioning amongst all the Institutions/Homes/Shelters in their management.

Financial Memorandum

When the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 is extended to this State and comes into force, a Board will have to be constituted with powers to supervise and control generally all matters relating to the management of Institutions/Homes/Shelters in accordance with the provisions of this Act. The financial implications involved in the extension of this Act will be mainly on payment of TA/DA to the members of the Control

Board when they go for the visit/inspection of the various Organisations, expenditure on salaries of staff appointed as per the provisions of the Act and other contingent expenditure in connection with their meetings, etc. including stationery. The approximate expenditure has been worked out to Rs. 40,000/- per annum.

Memorandum on Delegated Legislation

No delegated legislation is envisaged in this Bill.

Panaji,
21st June, 1993.

P. D. RAUT
Minister for Social Welfare

Assembly Hall,
Panaji,
22nd June, 1993.

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa.

Governor's recommendation under Article 207 of the Constitution:

In pursuance of clause (1) and (3) of Article 207 of the Constitution, the Governor of Goa has recommended to the introduction of the Goa (Extension of the Orphanages and Other Charitable Homes) (Supervision and Control Act) Bill, 1993.